Sects. II.-27—100,000—21-5-52.

tonic (1955 48) Department.

Ms SERIES. 0 i 49

G.O. No. 3975

Dated 27th Oct 48

[Despatch Abstract.]

Criminal appeal - Appeals against Acquittals and Criminal - Revision Petitions in Special Police Establishm Cases Inspector General of Police, Delhi Special Police Establishment Permitted to Mo to Provincial Government.

GOVERNMENT OF MADRAS
Abstract

Criminal appeal - Appeal against acquittals and criminal Revision Petitions in special Police Establishment cases - I.G. of Police, D.S.P.E. permitted to move the Provnl.Govt.

HOME DEMARTMENT

G.O.Ms.No.3975 Dated 27-10-48.
Read The following:-

From the Govt. of India, Ministry of Home Affairs, New Delhi, No.10/5/48-SPE dated 3-7-48 and 22-9-48.

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O R D E R:

At present the sanction of the Provincial Government under section 417 of the Code of Criminal Procedure, 1898 to the filing of appeals against acquittals is obtained by the Police authorities through the District Magistrate or the Commissioner of Police, Madras, as the case may be. In the cases investigated and prosecuted by the Delhi special police Establishment and its prosecutors, District Magistrates and the Commissioner of police are not acquainted with the facts and circumstances of the cases as they are not directly concerned with them. Government of India consider that the primary responsibility for taking decisions regarding filing of appeals against acquittals in Delhi Special Police Establishment cases should rest with the Inspector General, special police Establishment, who is assisted by his own legal advisers and that he should be permitted to approach ~~that he should be permitted to app~~ the Provincial Government for permission under seetion 417 of the Cr.P.C. without the intervention of the officers of the Provincial Government. This Government agree to the course suggested by the Government of India. District Magistrates and Commissioner of Police are informed that in future, the I.G.of Police, D.S.P.E. will move the Provincial Government direct in the matter of filing appeals against acquittals in Special Police Establishment cases.

2. The procdure referred to para 1 above will be followed also in the cases of criminal revision petitions for enhancement of sentences.

To
all D.Ms.
the comm. of Police, Madras.
I.G.Police, Madras.
C.P.M., Madras.
P.P.Madras.
C.P.Madras.
Hon'Ble C.J.,Madras
Government of India Ministry of Home affairs, New Delhi.
Deputy Suptd. of Police, Govt. of India. spl. police Estt. Hunter's Road ~~Madras~~ Veppery, Madras.

Copy for (S.F.) /True Copy/

Superintendent,
MADRAS RECORD OFFICE.

GK.27.5.